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**Transcript of
April 20, 2004
Public Hearing**PUBLIC HEARING ON CALIFORNIA
HIGH-SPEED TRAIN DRAFT PROGRAM EIR/EIS
CITY OF SAN DIEGO

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1 SAN DIEGO, CALIFORNIA - TUESDAY, APRIL 20, 2004
 2 4:04 P.M.

3

4 CHAIRMAN DIRIDON: Let's formally come to order.

5

6 From this time forward, all of the comments that
 7 are going to be presented before us will taken down
 8 verbatim by the court reporter. This is a legal
 9 proceeding, and, therefore, we will say what is
 10 appropriate, I hope, and I hope you do the same.

11

12 Let me begin by welcoming you all and asking the
 13 board members to introduce themselves and maybe making a
 14 very short opening comment.

15

16 I'll do that first by saying that my name is
 17 Rod Diridon. I'm the token northerner today. I come
 18 from Santa Clara Valley. I was a member of the county
 19 board of supervisors up there for 20 years and have
 20 served in other capacities around the state and nation
 21 and am pleased to be a gubernatorial appointment to the
 22 board and was the chair of the board last year.

23

24 I apologize for our chair not being able to be
 25 here. He is under the weather. He just called and said
 26 that he is home sick in bed, and he's attended every one
 27 of the other hearings and regrets not being here to
 28 share his time with you today, but we will do our best
 29 to pinch-hit for him.

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1 I refer now to Lynn.

2

3 MS. SCHENK: I guess age before beauty. Marc will

4

5 go after me.
 6 I'm Lynn Schenk, a San Diegan -- some of you may
 7 remember -- a former congresswoman representing this
 8 area. I am a little under the weather too, so I'm not
 9 going to breathe on anybody, but I didn't want to miss
 10 this really exciting day.

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9 High-speed rail has been a policy passion of mine
10 for a lot of years, going back to the late '70s and
11 early '80s. And when we started a first attempt at
12 high-speed rail here in the San Diego area going from
13 San Diego to Los Angeles, it never -- never put wheels
14 to the ground, but it was a start, and when I was in
15 congress. In fact, the only bill that has my name on
16 it -- because freshman don't get bills passed, passed
17 and signed by the president -- had to do with high-speed
18 rail. So I'm very pleased to see at least this part of
19 the dream come to fruition.

20 Mehdi Morshed, who the executive director of this
21 Authority, has also been involved in this issue for more
22 years than either of us like to admit to. We just say
23 when we first started in this, his hair was jet black.
24 Mine, of course, is still blond.

25 I am very pleased to be in my home town talking
0006

1 about this exciting, exciting concept.

2 CHAIRMAN DIRIDON: Thank you.
3 Marc.

4 MR. ADELMAN: Good afternoon, everyone.
5 I'm Marc Adelman. I'm also a gubernatorial
6 appointee on the board. I'm a four decade San Diegan.
7 I'm a practicing attorney down the street, across the
8 street from the Amtrak Station, and I've had a keen
9 interest in our transportation system here in our
10 county, and railroading in particular, for almost
11 40 years.

12 CHAIRMAN DIRIDON: And it's interesting that Lynn
13 thinks that you're more beautiful.

14 MR. ADELMAN: Youth.

15 CHAIRMAN DIRIDON: Okay. The next person I'm going
16 to take the prerogative of introducing, because he's the
17 heart and sole of our program.

18 Mehdi Morshed, he is a fellow of the International
19 Society of Civil Engineers -- American Society of Civil
20 Engineers, according to the certificate on his wall.
21 He has a master's in civil engineering. He came up from
22 Caltrans for a short time, and then the last 18 years of
23 his time he has spent as a legislative staffer, most of
24 the time as chief of staff to the senate transportation
25 committee.

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1 He was first a member of the board and then later
2 became the chief executive officer, executive director
3 of the California High-Speed Rail Authority, and it's
4 his intellect and energy and determination that holds
5 this process together through thick and thin, and,
6 Mehdi, we appreciate that.

7 MR. MORSHED: Thank you.

8 CHAIRMAN DIRIDON: I'd like also to introduce two
9 others. We only have three members of the High-Speed
10 Rail Authority staff. We do everything else through
11 consults.

12 And the two others are Dan Leavitt, a deputy
13 director, who is also an engineer, and we appreciate

14 his great expertise and great energy. He's out on the
15 road most of the time.

16 His counterpart, as associate deputy director, is
17 Carrie Purvahidi, and she also is out giving the
18 speeches and answering the questions and taking care
19 of -- additionally taking care of the administrative
20 work in the office that has to be done. And when this
21 is all done, I hope that there are statues for these
22 three, because they have really worked hard on the
23 project.

24 MS. SCHENK: Name a railroad car for them.

25 MR. ADELMAN: I was going to say name a train

0008

1 station after them.

2 CHAIRMAN DIRIDON: Mehdi reminds me that
3 John Fowler is here, and I did see John on the way in.
4 John is not only a long-time board member of the
5 California High-Speed Rail Authority Board, but also a
6 past city manager in this fine city.

7 John, we really appreciate you being here. And
8 after the testimony is done, John will get up and tell
9 you all the secrets.

10 Thank you, John, for being here.

11 I would also like to introduce Kip Field. Kip is
12 the person in charge of the project through Parsons,
13 Brinkerhoff, Quade & Douglas. They are the contract
14 administrators for all our different consulting teams.
15 And he has also been working directly on this project,
16 and he'll introduce the other consultants if they are
17 asked questions. I'll not attempt to do that at this
18 stage.

19 Finally, let me introduce Dawn Schellenberg. Dawn
20 is the timekeeper. So as we go through this process,
21 we're going to ask you who are making presentations not
22 to exceed three minutes in your presentations so we have
23 time for everybody to talk.

24 When you get to 2 1/2 minutes, Dawn will raise her
25 hand in a very polite way. When you get to three

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1 minutes, Dawn will raise her hand in a very rude way,
2 waving it back and forth, and that should let you know
3 that you've exceeded your time and are now infringing
4 upon somebody else's time and you should terminate your
5 comments quickly.

6 Realize, though, that if you run out of time, we
7 are very pleased to have your written testimony on this
8 kind of a sheet -- and the staff has passed them out --
9 so that you can -- you can make sure that we understand
10 those things that you might have forgotten to or didn't
11 have time to present to us verbally.

12 And every comment that's presented to us, at the
13 end of the review process, will be commented upon and
14 answered in the final environmental impact report. So
15 what you say will be recorded. What you say will be in
16 the final report, and so be cogent, be thorough, and say
17 what you need to say, and recognize that our experts

18 will answer those questions in that final report, by
19 law.
20 Let's see if I've gotten everything taken care of
21 now.
22 The comment period ends on August 31st. So you
23 have several documents with the High-Speed Rail
24 Authority office address from the table outside. Make
25 sure that you get your written comments in by
0010

1 August 31st. The earlier the better. It gives a little
2 more time for the ants to work on them. If we get them

3 all in at the last minute, it will cause delays in the
4 project, so please get them to us as quickly as you can.
5 The cards -- and I think I noted that to provide
6 testimony today, you need to submit a card. That card
7 is absolutely necessary because the only way the court
8 reporter knows who you are is because she will have your
9 name printed out on the card, so please do the card,
10 and, again, we'll take them in order except for those
11 who have been sorted by the staff according to
12 legislative office.

13 How are we doing, Mehdi?

14 MR. MORSHED: Doing good.

15 CHAIRMAN DIRIDON: All right. I think that we're
16 ready. If I have forgotten something, I will intrude in
17 the conversation later on, but let's begin with the
18 testimony now.

19 And the first presenter to us is Mario Lopez from
20 Congressman Bob Filner's office. Mehdi and I met with
21 Congressman Filner a short time ago, and we know of his
22 strong support for high-speed rail, and we appreciate
23 your being here, Mario.

PH-SD001

24 MR. LOPEZ: Thank you very much. I going to read a
25 prepared statement from Congressman Filner.

0011

1 Thank you for inviting Congressman Bob Filner to
2 offer this statement.

3 As the senior Californian on the House
4 Transportation and Infrastructure Committee and the only
5 Californian on the Railroad Sub-Committee, Congressman
6 Filner is committed to bringing a world-class high-speed
7 rail network to California.

8 Congressman Filner urges the California High-Speed
9 Rail Authority to include a regional project here in
10 San Diego as part of the statewide effort. As you may
11 know, the San Diego Airport Authority is seriously
12 studying an Imperial County airport site serviced by a
13 high-speed rail line.

14 This project does not suffer from any of the fatal
15 flaws that have doomed the proposed airport sites in
16 San Diego over the last three decades. The people of
17 Imperial County would love to have the airport in the
18 their backyard, construction wouldn't cost anyone their
19 homes, and with a high-speed rail link, the airport
20 would be accessible from San Diego in minutes.

21 The beauty of the high-speed rail line connection

PH-SD001-1

22 between downtown San Diego and rural Imperial County,
23 with a few stops in between, and potentially on to
24 Arizona, is that, in addition to serving the airport, it
25 will be a solution for our lack of affordable housing in
0012

1 San Diego.

2 The site evaluation process has begun with the
3 feasibility of a handful of proposed sites being
4 studied, geared towards a ballot initiative scheduled
5 for 2006. As an advocate for the high-speed rail in our
6 state, Congressman Filner requests your help in
7 educating the people of San Diego and Imperial Counties
8 on how a new airport serviced by a high-speed rail line
9 will improve our regional transportation system,
10 redefining how we live and work in San Diego and in
11 Imperial Counties.

12 Congressman Filner has secured \$1 million in the
13 highway and transit reauthorization bill just passed by
14 the House to study the feasibility of a Maglev train
15 from San Diego serving an Imperial County site for the
16 next regional airport. This funding is a small down
17 payment of what can be a large federal investment in the
18 cutting edge development of a high-speed rail in our
19 region.

20 The greater San Diego area is working on a -- is a
21 world-class community and would need a world-class
22 airport to meet our needs of the future. Now that the
23 San Diego Regional Airport Authority has shown the
24 courage to do what the previous airport site selection
25 groups have failed to do: think in terms of solutions
0013

1 for the next 50 years, not the failed solutions of the
2 yesteryear, we need your help to build support for these
3 plans that would benefit both San Diego and Imperial
4 Counties.

5 Thank you for your time.

6 CHAIRMAN DIRIDON: Thank you, Mario, and thank the
7 congressman for having you here and for the nice
8 statement and for his strong support so often in the
9 prior years.

10 Let me add one more thought. This project is the
11 largest environmental review ever conducted in the
12 United States, by far. Over -- almost \$30 million has
13 been spent on the engineering review of the various
14 corridors since 1996, and it is voluminous.

15 The intent of these efforts is to make sure that
16 there hasn't been a mistake made or something not
17 thoroughly evaluated, so this is a double-check process.
18 It's your chance to tell us if we can do something
19 better, and we really want to hear it.

20 Let's go on now to Lori Pfeiler.

21 MS. PFEILER: Right here.

22 CHAIRMAN DIRIDON: And Lori is representing --
23 she's the chair of SANDAG's High-Speed Rail Task Force
24 and she's also the mayor of -- I'll never get it right.

25 MS. PFEILER: Escondido.

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PH-SD001-I
cont.

PH-SD002

1 CHAIRMAN DIRIDON: Escondido. There's too many S's
2 down here in the cities.

3 And can I ask each of you before you begin, for the
4 record -- it isn't so difficult with you who are in the
5 official capacities -- but each of you to identify
6 yourself again, for the record, and to identify the
7 organization that you're representing in your comments.

8 MS. PFEILER: I'm Lori Pfeiler, and I'm
9 representing the High-Speed Rail Task Force for
10 San Diego County, and we want to welcome you here.
11 We're glad that you are having a public hearing.

12 And our thought is if we're here and Dan Leavitt's
13 hair has turned white, we know that we have been here
14 too long, or we have to watch his children get married
15 or something.

16 First, we have been talking about this for several
17 years, and we support the plans to have the conventional
18 rail along the coast and the very high-speed rail along
19 the I-15 corridor and expect that it would be the most
20 efficient and fastest, that it requires tunneling, and
21 that we would expect that tunneling would be part of the
22 system.

23 We also think that San Diego should be a part of
24 the second phase, that we are layed -- that we should be
25 thought of after the backbone portion of the rail system
0015

1 is implemented, that we come back down to San Diego, and
2 we would hope that the San Diego line would go to
3 downtown and support the businesses that we have
4 here.

5 We think that this EIR/EIS should be certified as
6 the highest priority right now and that we should move
7 forward on that. We also believe that this is the only
8 organization that is looking at transportation for the
9 state of California from a whole system, and it is our
10 future for this state, and we appreciate the work and
11 the effort that you're doing to put this together.

12 Thank you.

13 CHAIRMAN DIRIDON: Thank you very much.

14 County Supervisor Pam Slater-Price -- last time I
15 introduced her it was Pam Slater -- and Pam is a long
16 time supporter of high-speed rail. She's been around
17 the state providing testimony for you before us, and
18 it's nice to have you with us today.

19 MS. SLATER-PRICE: Thank you very much,
20 Mr. Chairman.

21 It's a pleasure to be here today. Again, as an
22 advocate for this project, I'm very glad to see it's
23 still on track -- no pun intended -- through the various
24 changes that have been going on.

25 And from the very beginning, we believe the
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1 High-Speed Rail Authority has demonstrated a willingness
2 that is actually, unfortunately, somewhat unique in
3 being willing to visit communities and to take testimony
4 from the public and to listen very carefully to what we
5 have to say to create a project that will satisfy the

PH-SD002-1

PH-SD002-2

PH-SD003

PH-SD003-1

6 demands not only of transportation, but also of the
7 communities through which they pass, many of which are
8 very sensitive coastal environments. And I'm really
9 here to speak primarily on their behalf today.

10 As you know, two of the major areas which the -- I
11 think you call it the higher speed rail will go along
12 the coastal corridor, the LOSSAN corridor, are through
13 two cities that are very impacted. Those are Encinitas
14 and Del Mar. Both of those cities, the rail runs right
15 through them and separates the beach from the main
16 community.

17 In the case of Del Mar, they are very fragile
18 bluffs, which have had to be shored up repeatedly. I
19 think the last number I knew was more than \$20 million
20 in the last 20 years have been spent to shore that bluff
21 up, and we know that that bluff -- I think it's been
22 completely ascertained the bluff will not withstand a
23 second track there, nor can the cutting cover option be
24 utilized there because of the fragility of the bluff
25 structure, so, therefore, it would have to be tunneled

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1 there.

2 And the Authority did look at several options. One
3 of which was to go through the San Dieguito Lagoon, and
4 that's still considered an option for study. One was
5 the so-called no project alternative, and that has been
6 ruled out as a viable alternative, at least at this
7 point.

8 And if we look at what the rail has to serve in
9 that community, it's not only passenger service, but
10 it's also freight service, so, therefore, it's really
11 critical and imperative that we have a system that will
12 work for 100 years, which is what we're building for.

13 We know increasing rail transportation, especially
14 between San Diego and Los Angeles, is going to become
15 increasingly important, and the airlines are
16 overburdened, and we are going to have to find other
17 options. So the main thing that we feel is that this
18 needs to be done right and be done right the first time.

19 In the community of Encinitas, the rail runs
20 immediately right through their town, and that area also
21 calls out for cut and cover in that general vicinity
22 through much of the downtown great -- separating several
23 problematic interchanges there.

24 We have a council member from Encinitas, and I'll
25 let her go more into detail on that.

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1 I'd like to say, again, that we really appreciate
2 having Dan Leavitt -- who, for the past five years, has
3 been down here working very steadfastly, and Mehdi has
4 been down frequently as well -- to listen to concerns
5 from the public.

6 We know that conventional rail is the answer for
7 the coast because, like I said, it's multipurpose.

8 Secondly, we know that any kind of an elevated
9 structure will not work in the coast because of site
10 lines and view corridors, and so we believe that the

PH-SD003-I
cont.

11 tunneling and then the trench and cover structures which
12 are planned and which are being studied through the
13 EIR/EIS process are the correct solution, and we
14 strongly support those.

15 I realize that Caltrans will be the agency that
16 oversees the actual construction along this corridor,
17 but we consider it to be very important that the work be
18 done right, that the environmental studies be carried
19 out properly, and that the correct projects are
20 selected, so that is why we're very happy to have a
21 high-speed rail involved.

22 In closing, I would just like to say I strongly,
23 strongly support this agency. I'm glad to see
24 Lynn Schenk. It's the first time I've seen her as a
25 board member. It's certainly not her first meeting,

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1 but it's the first time I've had a chance to see her,
2 and I know that she's a long time advocate of rail, and
3 she's also very familiar with San Diego, and it's great
4 to have her on board.

5 Thank you.

6 CHAIRMAN DIRIDON: Thank you, Madam Supervisor.

7 The next presenter is Christy Guerin, council
8 member of the City of Encinitas.

PH-SD004

9 MS. GUERIN: Good afternoon. Thank you for having
10 all of us here. We do appreciate your time.

11 I want to start out by saying I've been wearing a
12 couple different hats. I am from the City of Encinitas,
13 a council member there. I also serve on the High-Speed
14 Rail Authority Task Force for SANDAG as a board member
15 of SANDAG.

16 I first want to start out and thank Dan Leavitt and
17 the rest the staff for your organization. They've been
18 extremely responsive to our city and to SANDAG and our
19 concerns, and it's obvious in their work that they've
20 listened to us, and the work that they've come up with
21 in the EIR has reflected that.

22 The coastal LOSSAN corridor is a very unique
23 corridor, especially in my city. Our city is
24 6 1/2 miles of coastline. The rail corridor is
25 approximately a little over 6 miles long and actually

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1 cuts our city between the east side of the city and the
2 west side of the city.

3 We have just gone through a \$5 million
4 revitalization of our downtown on 101, and we invite all
5 of you to come there any time. It's beautiful, and we
6 have many visitors as a result of that.

7 But most importantly we want to make sure that all
8 of the citizens in our city can enjoy that and that they
9 are able to get across the rail line safely; that the
10 improvements that have been brought forward by the
11 High-Speed Rail Authority, we believe, are the right way
12 of doing this; and we're looking very much forward to
13 working with Caltrans also, who's been involved with
14 this, and we've communicated with them also.

15 We think that we also are vital in the High-Speed

PH-SD003-1
cont.

PH-SD003-2

PH-SD004-1

16 Rail Authority as far as a significant contribution of
17 riderships that can be met through this additional
18 route, and we hope that the improvements can be done
19 along with the high-speed rail so that we can contribute
20 to that ridership, especially along the coast. It may
21 be just as easy, if not easier, to get to L.A. and then
22 make a connection there for high-speed rail, and we
23 acknowledge that that would be a great way for us to be
24 able to do that.

25 We also want to compliment you on all of the
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1 comments that have come forward from us and have been
2 put together. We support the bond issue. We know
3 that's still up in the air for you, but as a San Diego
4 region, we will be there for the whole state.

5 But we also want to make note that as quickly as
6 Northern California -- and I have a lot of family there
7 in Santa Clara County -- as quickly as that project is
8 accomplished, we hope that we may take the next step and
9 look towards Southern California and begin that just as
10 quickly.

11 So thank you again. I appreciate it.

12 CHAIRMAN DIRIDON: Counsel member, thank you, and
13 we'll send your regards to our folks in Campbell.

14 George Frankle -- George Franck, representing the
15 I-15 Interregional Partnership.

16 George will be followed by Patrick Merrill.

17 MR. FRANCK: Thank you.

18 Good afternoon. My name is George Franck, and I
19 have been providing planning assistance for the
20 Interstate 15 Interregional Partnership, which is
21 chaired by council member Crystal Crawford from Del Mar
22 and from Jeff Comerchero from Temecula.

23 The original partnership was formed in the year
24 2001, and it was formed to address interregional issues
25 in the I-15 corridor between southwest Riverside County

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1 and San Diego County.

2 The work we have done up to this point indicates
3 there are about 30,000 workers a day that live in
4 southwest Riverside County and commute into jobs into
5 San Diego County. The average commute distance is about
6 50 miles for those people, and they take over two hours
7 to do that commute.

8 The partnership has developed some 21 strategies to
9 address both the growing jobs/housing balance in
10 southwest Riverside and in San Diego County, that is,
11 providing more moderate-cost family housing in
12 San Diego, more technical and management-type jobs in
13 southwest Riverside County.

14 In addition to that we have about 12 strategies to
15 placate the transportation impact. One of those
16 strategies is the support of the high-speed rail system
17 in the I-15 corridor, and it's supported for two
18 reasons. One is the support for the provision of
19 intercity rail service to get those people out of cars

PH-SD004-2

PH-SD005-1

PH-SD005

20 and off of the freeway, and in addition to that provide
21 the right-of-way and potentially some facilities for the
22 use of commuter services, either bus rapid transit or
23 rail services within the high-speed rail corridor in the
24 future.

25 In addition to support of the high-speed rail, we
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1 also support the strategies, and the partnership also
2 supports other alternative transportation facilities,
3 such as the development of high-managed lanes,
4 high-occupancy vehicle lanes, and bus rapid transit
5 between southwest Riverside County and San Diego County.

6 Thank you.

7 CHAIRMAN DIRIDON: Thank you very much.

8 Patrick Merrill is with the Caltrans Rail Division,
9 and I would like to thank Pat for being with us at each
10 one of our hearings, and also to Warren Weber, who is
11 the chief of the rail division for Caltrans who also
12 attends all of those hearings. So we appreciate your
13 support.

PH-SD006

14 MR. MERRILL: Absolutely.

15 For the record, my name is Patrick Merrill with the
16 Caltrans Division of Rail.

17 Good afternoon, Counselman Diridon and members of
18 the Authority and elected officials. We wanted, at this
19 time, to just share some general observations. As has
20 been noted many times, the document is more than 1,000
21 pages long, so the department will have more detailed
22 comments to submit in the near future within the public
23 comment period, but just some general comments that we
24 wanted to make at this time.

25 As many of you know, Caltrans has invested capital
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1 and operating funds for more than 25 years in the
2 corridor between Los Angeles and San Diego known as the
3 LOSSAN corridor. This has been in support of rail
4 improvements and intercity train travel.

5 The LOSSAN is both the second busiest intercity
6 rail corridor in the nation and it can also serve, as
7 has been pointed out, as an important feeder route to
8 the statewide high-speed rail system, and, of course,
9 this is one of the many reasons why we have been working
10 down here on this effort.

11 We have seen firsthand the dedication that the
12 high-speed rail staff has and the many, many trips, and
13 hundreds, if not thousands, of hours that have been
14 devoted to community outreach and taking a serious look
15 at the alternatives, both for the LOSSAN corridor and
16 elsewhere in the state, and we really appreciate the
17 extraordinary efforts that have gone on on all of our
18 behalfs.

19 Bringing back to the LOSSAN corridor and the rail
20 more specifically, improving current and future mobility
21 in California is critical for economic growth, goods
22 movement, and in tackling increasing urban congestion.
23 However, we know it's very likely that no single mode of
24 transportation can keep pace with the demand for

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cont.

PH-SD006-1

25 intercity trips, especially given the current

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1 constraints on the airport facilities, highway/road
2 systems, and given the rate of population growth in the
3 state.

4 Planning for future transportation improvements,
5 especially for a statewide high-speed rail system, and
6 planning for local and regional transportation solutions
7 will require planning agencies to tackle complex issues
8 and deal with community and environmental concerns.

9 That has been happening in this effort, and I certainly
10 applaud the Authority for the efforts in all of those
11 areas.

12 Currently both the high-speed technical --
13 high-speed rail technical studies and those being
14 completed for the LOSSAN corridor are an important
15 beginning towards implementing something that is really
16 efficient for the state of California.

17 Caltrans has been very pleased in the level of
18 commitment and support demonstrated by local and
19 regional agencies in planning efforts for the LOSSAN
20 rail corridor, and we've seen an especially strong
21 effort in coordinating and assessing high-speed rail
22 options here in the San Diego region.

23 State and federal environmental agencies,
24 SANDAG, local agencies, and transportation groups have
25 all provided valuable insights and important feedback to

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1 all the current rail planning work going on in Southern
2 California. We applaud your efforts and greatly
3 appreciate the contributions.

4 Thank you for the opportunity to provide some
5 general comments on this important environmental
6 document, and, as I mentioned, during the public comment
7 period, Caltrans will be providing more detailed
8 comments at that time.

9 Thank you very much.

10 CHAIRMAN DIRIDON: Thank you.

11 You noticed Mehdi leaning over and pulling my
12 strings so that my arms move and my mouths moves. He
13 was noting that you have been an extremely good
14 partner -- Caltrans and yourself and Warren -- in this
15 very difficult element of the study, and we appreciate
16 it very much.

17 MR. MERRILL: It has been a true partnership, and
18 we really appreciate the opportunity to work with you.

19 CHAIRMAN DIRIDON: Thanks, Pat.

20 Linda Culp will be next, representing LOSSAN Rail
21 Corridor Agency, and she'll be followed Lynne Baker.

22 MS. CULP: Thank you.

23 My name is Linda Culp. I'm a transportation
24 planner here at SANDAG, but I would like to give you
25 some remarks on the behalf of the LOSSAN rail corridor

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1 group, which is the Los Angeles to San Diego to San Luis
2 Obispo rail corridor agency, and our Chair Art Brown and
3 our Vice Chair Jacki Bacharach.

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cont.

PH-SD007

PH-SD007-1

4 LOSSAN -- or SANDAG provides administrative support
5 to LOSSAN, and we're one of a number of member agencies
6 all way up the line to San Luis Obispo including NTOs,
7 planning agencies, rail owners, and operators. Our
8 corridor, as Pat said, is the fastest growing, the
9 second busiest for Amtrak nationwide, and one in nine
10 Amtrak passengers uses the Surfliner train, and we kind
11 of consider ourselves as paving the way for you in terms
12 of record interest and ridership.

13 LOSSAN is supportive of your efforts to design and
14 implement a high-speed passenger rail system for
15 California. Our technical advisor committee has
16 reviewed the draft environmental documents overall and
17 will be providing comments to the board at their May 5
18 board meeting and then sending those on to the
19 Authority. Many of our member agencies will also be
20 commenting on the specifics.

21 And just to summarize, we thank you for your
22 efforts, and we look forward to continue working with
23 you and your staff on this project.

24 CHAIRMAN DIRIDON: Thank you very much. We look
25 forward to working with you also.

PH-SD007-1
cont.

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1 Lynne Baker will be followed by Ann Fathy.

PH-SD008

2 MS. BAKER: I'm Lynne Baker. I'm the Smart Growth
3 Project manager for Endangered Habitats League, and I am
4 also a member of the Stakeholders Working Group of the
5 I-15 Interregional Partnership. So as a builder in my
6 past and a conservationist today, I want to applaud your
7 efforts. This is very forward-thinking for
8 California.

9 Endangered Habitats supports the high-speed rail,
10 particularly the I-15 corridor alignment and -- because
11 of the potential for dual-use rail. I want to point out
12 that the dual-use may prove essential to our local
13 San Diego regional mobility as it provides a foundation
14 for some other opportunities here at the end of the
15 line.

PH-SD008-1

16 I note that your objective is also to provide
17 multimodal support, so I hope that as the specific
18 routes are formed, that you will be willing to swing
19 toward stations where you may not be stopping but in the
20 future additional multimodal connections can be made,
21 and to that end I would request that technical folks
22 attempt to create the footprints of the station and the
23 structural requirements for same.

24 We are now locally designing some multimodal
25 stations, and as we go forward in that design and

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1 construction effort, that may precede your footprint
2 landing on the ground. All the coordination we can do
3 will save taxpayers money in the future and can maximize
4 the capital investments.

5 Finally, you know, a good idea just spreads, so you
6 hear calls to go to Imperial County, and we've heard
7 calls to go south to the border. So I think it is
8 important to note for the future that there will be an

PH-SD008-2

9 estimated 13 million people in our sister city of
10 Tijuana in 100 years, and it may, indeed, make sense for
11 the High-Speed Rail Authority to have Phase 2 in mind.

12 Thank you.

13 CHAIRMAN DIRIDON: Lynne, before you leave the
14 podium, may I ask you a question?

15 MS. BAKER: Yes.

16 CHAIRMAN DIRIDON: I noticed on your card you put
17 "smart growth," which suggests infield development?

18 MS. BAKER: Yes.

19 CHAIRMAN DIRIDON: The high-speed rail system in
20 California, I hope, will cause the same kind of smart
21 growth opportunities as has been created around the
22 world with other high-speed rail systems, where it not
23 only creates an opportunity for infield development
24 around the stations around the high-speed rail, but also
25 the feeder and distribution systems, the metro link, and

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1 other systems that are designed to feed in and out of
2 the ultra high-speed system.

3 MS. BAKER: Yes.

4 CHAIRMAN DIRIDON: One of the elements that you and
5 your coalition might be aware of in advance is the need
6 to communicate with the cities that have those station
7 opportunities ahead of time, to get them enthused about
8 and committed to infield. It's a little hard to do it
9 later on sometimes.

10 MS. BAKER: I would agree, and I will tell you that
11 Mayor Pfeiler has heard my entreaties to our local
12 bodies to coordinate with the future high-speed rail in
13 many arenas and will keep up that effort to have the
14 local jurisdictions, as well, be mindful what it can
15 provide.

16 CHAIRMAN DIRIDON: One other thing in regard to
17 that. When a station, especially a high-speed or a
18 station that has access through a feeder to high-speed,
19 is created, the land around those stations typically
20 increases in value multiple times. Most of those areas
21 are currently in redevelopment agencies or some other
22 value-capture device: assessment districts or
23 whatever.

24 That being the case, it would be very helpful if
25 those cities that are going to receive a high-speed rail

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1 station would let us know that they can build a station
2 based on the increased value expected from the creation
3 of the station.

4 If we build a station, it's going to look an awful
5 lot like a big bus stop. We don't have the money to do
6 the kind of job that most downtowns would like.

7 If you build the station -- we'll lay the tracks
8 out to meet the operational requirements. If you build
9 the station, you can build what fits into your
10 community, whether it's a beautiful Spanish-style
11 facility like you have here in your old west Santa Fe
12 Station or whether it's the Taj Mahal. If it's
13 something that the city would like, then you control

14 that better than if you leave it to us.
15 MS. BAKER: I think that if I put on my old
16 engineering and builder hat, I think that the technical
17 requirements are the most essential thing for
18 communication, then the number of parking spaces, the
19 structural requirements to carry the number of
20 passengers that would be anticipated for flow. Those
21 are the types of things that then could be additive to
22 the multimodal capacity of the future areas that we're
23 looking at. I think it would assist our local regional
24 efforts in being able to skate to where you're going to
25 have that puck going for us.

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1 CHAIRMAN DIRIDON: You bet, and we'll certainly be
2 able to provide those to you, and thank you for your
3 willingness to consider them.

PH-SD009

4 Ann Fathy will be followed by Ann Merrill.
5 MS. FATHY: Good afternoon, Mr. Chairman, and
6 members of the commission.

7 Is it a commission or a board?

8 CHAIRMAN DIRIDON: It's a board.

9 MS. FATHY: A board, excuse me.

10 My name is Ann Fathy. My address is 701 Kettner,
11 downtown San Diego, and I'm speaking because of the
12 concerns of people who live downtown about rail
13 traffic.

14 Currently there are 20,000 people living downtown;
15 70,000 people work downtown. We anticipate having a
16 downtown resident population of 80,000 people.
17 Currently we have rail traffic coming around, going
18 through the community, blocking access to emergency
19 services, causing a lot of different problems, a lot of
20 noise pollution, et cetera, but I fully support
21 high-speed rail. I think it should be the inland route.

22 I don't want -- my previous profession was that of
23 a land-use planner, and I'm currently a land-use
24 attorney. I don't want to see more damage on the
25 coastal route, but I also don't want to see the rail

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1 terminus to be in downtown San Diego. I think it would
2 be much more appropriate to have it down in
3 Mission Valley, which is not far, and it's easy to serve
4 a lot of the area near Mission Valley without coming
5 downtown.

6 We really have to start looking at a downtown
7 community of 80,000 residents, and we're trying to deal
8 with the existing rail situation, but to make it even
9 worse by bringing the high-speed rail right into
10 downtown would be really disastrous, so I hope you give
11 some consideration to the impact that it will have on
12 downtown residents.

13 Thank you.

14 CHAIRMAN DIRIDON: Ann, you make a point, and we
15 accept and appreciate your opinion on this, but I think
16 it's very important to realize that most of the other
17 cities in the state have come to a conclusion where they
18 want the station, and they're letting us know where they

PH-SD009-1

19 want the station with a single voice.
20 San Diego isn't there yet. There are many
21 different opinions as to where the station should be in
22 San Diego, and there is an opportunity to create infield
23 and what's called smart growth in the downtown area, at
24 the same time it may be that that doesn't work for
25 San Diego.

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1 MS. FATHY: But we're growing too fast already
2 and --
3 CHAIRMAN DIRIDON: Let me add something on that
4 point.

5 Ultimately, it's very helpful if you can work with
6 your elected city council and your board of supervisors
7 to have them -- because they are elected to represent
8 you -- come to some kind of a conclusion that would be
9 able to be communicated to us.

10 MS. FATHY: Thank you.

11 CHAIRMAN DIRIDON: And if you can work with them
12 and have them agree on a location that's technically
13 feasible for us, that helps you an awful lot.

14 MS. FATHY: Thank you.

15 CHAIRMAN DIRIDON: Thank you.

16 Ann Merrill is our last speaker on a card. Please,
17 if you intend to speak, and we encourage you to, fill
18 out a card and get it to me right away.

PH-SD010

19 MS. MERRILL: My name is Ann Merrill. I live at
20 2249 Garnet Street, Pacific Beach.

21 I'm a mass transit user. I've been using it ever
22 since the second World War. I've used in London, Paris,
23 New York, down in Mexico. I really do use it, and this
24 last year I've been using it, but I am really looking
25 forward to riding a high-speed rail, but I'm concerned

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1 that right now the feeder lines to mass transit are in
2 serious trouble.

3 I found just recently, when I wanted to go down to
4 the IRS, that the whole north section of San Diego --
5 La Jolla, University Town Center, Pacific Beach -- has
6 lost their transportation, one bus, which is very
7 important to bus riders, train riders, to not have to
8 change. You no longer -- you cut back so that you
9 couldn't get a simple ride to go to the IRS or to work
10 or the courts.

11 I spent last year up in Mendocino County at
12 Fort Bragg. I was very grateful that while I was
13 working up there that I got to be able to come in and
14 out seven days a week instead of one day a week, but it
15 was impossible to go both directions.

16 There are places all over where the feeder routes
17 need to have money spent in. And while we're in such a
18 tight financial situation, if you develop the feeder
19 ride rights, the routes, first, you will have the people
20 to use the high-speed. And if you have to make a choice
21 between something ahead, help us right now improve our
22 air by making buses run often, making trolleys run
23 often, make it so it's much easier to go downtown on a

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24 bus or a trolley than it is to park your car, and this
25 is the best way, while we're in a depressed time, to
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1 help our economy and mass transit, and as soon as we
2 begin to boom, put it into high speed. But right now,
3 feeder routes.

4 CHAIRMAN DIRIDON: Ann, thank you for your
5 interesting comments.

6 Please note that we don't have authority over the
7 feeder routes. We're designated by the state
8 legislature to design, build, and operate a high-speed
9 rail, but you do have a very fine organization here
10 locally headed by Leon Williams, an old friend of mine,
11 from your county board of supervisors and the staff's
12 lead, I guess, is Tom Larwin still.

13 Tom Larwin heads the transit agency lead, and they
14 are very good people. They are world-class talents, so
15 please work with them.

16 And then another point to note is the bonds that
17 are currently on the ballot for November of this year
18 are the High-Speed Rail Authority bonds -- \$9.95 billion
19 put on the ballot by the state legislature -- may be
20 delayed until 2006, but they do include \$950 million for
21 the upgrade of feeder lines. The 9 billion goes to the
22 high-speed rail project, but \$950 million goes to
23 upgrading the feeder lines, the high-speed rails, so
24 there is something in there for the kind of program that
25 you indicated, Ann. Thank you for stressing it.

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1 Do we have other speakers now?

2 Okay. Let the record show that there was no
3 response.

4 And now let me stress that because this hearing is
5 open until -- I guess it's 8:00 o'clock, we will have
6 someone here to take the written comments or verbal
7 comments until that legal deadline passes.

8 I'd like to also stress that the consultant who did
9 the work on this element of the project, the San Diego
10 to Los Angeles element, is from IBI Engineering. His
11 name is Steve Schibuiola, and he is right back here as
12 the project manager, and he has his staff with him, and
13 if you would like to mill around and ask any questions
14 about these very intelligent, very well presented poster
15 boards, please do grab Steve or one of his staff
16 members, ask questions so that you understand them
17 thoroughly.

18 Are there any more comments now before we have our
19 closing comments from our two San Diego board members?

20 Okay. Let's go the other direction, then, have
21 Marc make a closing comment.

22 MR. ADELMAN: I just wanted to thank everybody for
23 attending, and everything that's been said today we've
24 taken into consideration and will do in the future.

25 For those of you who had second thoughts or had

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1 some ideas after you heard from other speakers, please
2 provide us with your written comments. They're equally

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cont.

3 as important as a oral testimony, so don't hesitate to
4 share your comments with us.

5 Thank you.

6 CHAIRMAN DIRIDON: Thank you, Marc.

7 You ought to give a special badge to Lynn because
8 she's really under the weather. We've got a hospital
9 van waiting outside to take her on over there.

10 Lynn, final comments.

11 MS. SCHENK: I'll try not to spread it and spray
12 this microphone.

13 Let me just say to my fellow San Diegans that for
14 those who might have some concerns about where San Diego
15 stands in the hierarchy of all of this -- and I've heard
16 privately from some of you and some who are not here --
17 let me assure you that with Marc Adelman and myself on
18 this Authority, San Diego will stand second to none in
19 making sure that we are going to be a part of this in
20 the long-term future. San Diego is not going to be
21 either the tail or the end. It will be a part of the
22 backbone of this system and a very important part of
23 it.

24 As we look at the composition of this Authority,
25 with all due respect to our many northern members,

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1 San Diego, for the first time, has two members on this
2 commission, and so we vigorously support the system
3 state-wide but have a special place in our hearts and in
4 our minds for San Diego.

5 I want to thank each and every one of you that has
6 participated over the years, thank each one of you who
7 came and gave your remarks here to us today.

8 CHAIRMAN DIRIDON: Well, that's it. Once Lynne has
9 said something, we know enough not to disagree with
10 her, so we appreciate you coming.

11 We appreciate, also, that you're here when you're
12 not feeling well.

13 Again, this is the document to fill out if you
14 would like to leave a written statement, and please,
15 please do that. Take some with you if you would like to
16 take some back into the community and have community
17 members fill out the forms and send them into our staff.

18 And with that comment, thank you very much for
19 being with us. This meeting is in recess now while we
20 wait for any additional comments up until
21 8:00 o'clock.

22 Thank you.

23 (Public hearing adjourned.)

24 (The following statements by John Chalker,
25 Michael Winn, and Donald Billings were given orally to

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1 the court reporter.)

2 MR. CHALKER: I'm concerned about the fact that
3 the most heavily traveled rail corridor west of the
4 Mississippi is the Los Angeles to San Diego leg and that
5 leg is not the first leg scheduled to be built. I don't
6 think with our economics that it makes sense to build a
7 longer leg with unproven rail passenger traffic at this

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8 point in time.

9 Second, I'm also concerned about the level of
10 service on the San Diego/Los Angeles leg, that it would
11 have a slower speed train than what would be on other
12 parts of the system.

PH-SD011-2

13 And lastly, I am concerned and opposed to the use
14 of steel rail and steel wheel technology. It's over
15 100 years old. We should be looking at something that's
16 of more modern technology. Given the time frame in
17 which this system is going to be approved, planned,
18 financed, and built, this is going to be very obsolete
19 in the future when and if it is complete.

PH-SD011-3

20 And for those reasons, I think that those are
21 points that the opposition will bring up when the bond
22 measure comes to the voters and reduces the chances of
23 successful bond passage.

24 End of story.

25 (Recess.)

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PH-SD012

1 MR. WINN: I just delivered a series of comments
2 to Mehdi -- what is his last name? -- Morshed, and I
3 explained that I live in Del Mar and I was a member of
4 the Del Mar Railway Advisory Committee for seven years
5 and during which time this project has come forward.
6 And I've attended many meetings of the Intercity Railway
7 Committee, for instance, as well as SANDAG and the
8 San Diego Transportation Committee and meetings with the
9 California Transportation Commission in Sacramento,
10 and so I'm more conversant with this than most people
11 are. I have several concerns.

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12 My broad, general concern is that it appears to me
13 that the impetus for this project is to provide a
14 indirect subsidy for the development of urban sprawl in
15 the Central Valley of California. And that although the
16 economic basis of that might be really beneficial for
17 some people involved, the environmental consequences
18 could be extreme for the state and for the world,
19 actually, in view of problems of global warming.

20 The Central Valley already has the -- what would
21 you call it? -- the honor of being the area which has
22 the worst rate of air pollution in the country and also
23 is presenting the most dynamic urban sprawl growth in
24 the state and along the line that is proposed.

25 So my concern is, without paying any attention to

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1 the regional infrastructure that would be necessary to
2 have the development there be ecologically
3 sustainable, the high-speed rail would open the door to
4 a flood of people buying cheap housing in Central Valley
5 for that purpose, and we would basically be exacerbating
6 a problem which is already causing global climate
7 change, among other things, as well as the loss of the
8 agricultural revenue of the state and the agricultural
9 lands to be developed, and that is irresponsible.

10 So my position on this is that I would oppose the
11 issuance of bonds for the development for this project
12 unless that was taken into account and actually a

13 solution was provided so we weren't creating urban
14 sprawl problems and air pollution problems somewhere
15 else in the state.

16 Locally, my concerns are -- because we have the
17 same problem in San Diego, vis-a-vis the development of
18 Riverside County and notably Temecula. So the same
19 problems will occur here as in the Central Valley and
20 further north.

21 But it seems that tacked onto the bond funding
22 legislation is \$950 million that would be used to
23 develop what is called locally the coastal rail
24 corridor. I believe that Amtrak refers to this as the
25 LOSSAN corridor or that segment of it between

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1 Los Angeles and San Diego. And in that, in the existing
2 proposed bond legislation, there is no funding proposed
3 for high-speed rail between Los Angeles and San Diego.
4 It would seem obvious that the intention is -- or not
5 the intention perhaps, but what the resources would
6 permit would be the development instead of a heavy
7 diesel expansion of the coastal rail corridor, and the
8 implications of that, for the place where I live and
9 many other places along the coastline, are simply
10 awful.

11 We are being shown plans to develop a tunnel under
12 the town where I live, which is Del Mar, and the
13 entrances of these tunnels on either side of the city
14 would be a drastic change in the local environment, in
15 the city, in the -- well, you have, essentially, portals
16 100-foot wide opening into a state preserve.

17 (Telephonic interruption in the proceedings.)

18 MR. WINN: So what we have is an environment that
19 is -- has been preserved, has been preserved by the
20 donation of land to the -- to become a state preserve,
21 by Scripps Ellen Browning, I believe -- Ellen Browning
22 Scripps, and it's one of the most magnificent places in
23 the world. It has been and it is currently, in my
24 estimation, the most magnificent place left in the
25 San Diego area, and what is being proposed is that a

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1 concrete causeway be constructed through the Penasquitos
2 State Preserve to carry diesel locomotives and freight
3 trains and Amtrak trains and NCTD trains to provide a
4 service that, according to what I've read, will only
5 increase the capacity of the train line for regional
6 travelers by 2 percentage of current ridership,
7 extrapolated out 20 years.

8 And so if we're not providing, by doing this, any
9 greater solutions for mobility, I still won't be able to
10 get anywhere without using my car, and either will
11 anyone who lives around me. In order for people to get
12 to the train to use it, they will have to drive their
13 cars to places inland where most of the development is.

14 It's nonsensical from that standpoint, but it's
15 also nonsensical because it's 19th Century technology.
16 It's nonsensical because the amount of freight that
17 actually travels on that line is, by any measure that

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cont.

PH-SD012-2

18 would make a freight railway profitable, minuscule.
19 And so what I'm left with is why would we want to
20 put hundreds of millions of dollars into building a
21 tunnel under my town in order to -- that -- not in order
22 to, but that would effectively destroy two of its most
23 important natural resource when, in fact, there's no
24 gain to be had for doing it for mobility in this region.
25 It doesn't make sense. Why spend that much money to did

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1 that?

2 So the fact that that part of the funding -- that
3 the funding for that, rather, is tied into the funding
4 for the high-speed rail that is being planned for the
5 inland corridor is -- is like a double whammy, you know.
6 It's like getting it both ways. You're creating urban
7 sprawl development here, and you're destroying the
8 coastal environment here.

9 Now, as a result of the fact that I've been
10 involved in this process of -- this rail-development
11 process for eight years now and know much more about it
12 than most people, I'm also aware that there are
13 possibilities for developing light rail or even heavy
14 rail in this region that would serve the needs of people
15 who live in all the coastal cities and all the areas to
16 use. It would provide for station stops at each little
17 berg and ways for people to get to the station
18 stops, and it would be able to be placed on the I-5
19 right-of-way, which is already deemed by the
20 transportation agency, Caltrans Transportation.
21 Caltrans, specifically.

22 So it becomes more of a burden for me to realize
23 that what has happened in this process is that people
24 who are promoting the development of the rail corridor,
25 the coastal rail corridor, are people who are benefiting

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1 from it, from the development: Amtrak, Rollington
2 Northern, North County Transit District.

3 And they are -- they have a fund that they can use
4 to actually, through trading favors -- we'll bury the
5 tracks here, so to speak -- and they're getting the
6 local city governments to go along with this and telling
7 them that they have no choice. If they don't go along
8 with it, they'll just get run over. And that's really
9 what we have heard over and over again. I'm not
10 exaggerating a bit. It's fait accompli. There's no way
11 you can stop it.

12 So having said that, my commitment and the
13 commitment of a lot of people that live around me is, in
14 fact, to prevent the funding of TransNet as long as it
15 has this in it and doesn't have something of value in it
16 that would actually provide an alternative to the
17 automobile and to prevent funding of the rail bonds for
18 the same reason.

19 And, I guess, one last thing to say, one last
20 point, and that is that we've had meetings with people
21 like Mr. Merle, and -- I keep forgetting the gentleman's
22 name from SANDAG -- Boda, a Mr. Boda, B-O-D-A. Jack

PH-SD012-2
cont.

23 Boda, is it? -- and the public meetings, and what showed
24 up was that they had no recognition of what I would call
25 the spiritual value of our environment, the aesthetic
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1 value. That it seemed that for them the engineering
2 solutions that they were proposing were more important
3 than the fact that the only reason I live in Del Mar is
4 because of the beauty of nature there. And so they're
5 willing to, you know, put concrete over my nature, if
6 you will, because they do not have a place in their
7 evaluation system to actually measure that value. And
8 in this environmental impact study, that value is not
9 addressed.

10 But on the other hand, they did have -- they did
11 seem to understand that the coastline itself, where the
12 rail now runs right along the bluff in Del Mar -- which
13 is just below my house, and I'm there twice a day with
14 my dog, so I know it intimately -- they realize that to

15 defile that area with concrete structures to support the
16 rails would be outrageous.

17 What's interesting to me is that doesn't carry over
18 into a state preserve, a wetlands that is as important
19 as the Torrey Pines State Preserve, that in that case
20 the defilement is somehow not regarded in this same
21 way.

22 So I don't understand that kind of conflict, that
23 they don't have a clear understanding and statement
24 about those values, and yet they can make judgments
25 where they have discounted the possibility of leaving
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1 the rails on the bluff because of aesthetic reasons, and
2 they're saying that they can't engineer it, which is
3 nonsense, and that on the other hand they can't discount
4 the -- putting the tracks through the Penasquitos
5 wetlands.

6 Have I said enough?

7 MR. BILLINGS: My name is Don Billings. I am a
8 former managing director with KPMG and formerly with the
9 United States Embassy in London and have lived and
10 worked in a number of capitals around the world from
11 London to New York to Tokyo and have benefited from
12 effective mass transit in all of those cities.

13 I came to San Diego about five years ago and have
14 been troubled that the more I learn about the
15 transportation planning process in San Diego County and
16 in the State of California, the more I realize that it
17 is driven by an erroneous idea of what its role is in
18 development.

19 The policy of Caltrans and SANDAG is that
20 transportation should be designed to accommodate growth.
21 This, to me, is the equivalent of saying that
22 transportation policy should reward bad land use
23 planning if bad land use planning is separately
24 determined to be politically easy.

25 In the instant case of the high-speed rail
0049

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cont.

PH-SD013

PH-SD013-1

1 proposal, I became interested for a variety of
2 reasons. First, I'm a member of the Torrey Pines
3 planning board; secondly, I'm the president of a
4 homeowners association that overlooks the Torrey Pines
5 Reserve, with an aggregate market value approaching
6 \$250 million; and third, simply because in both of those
7 roles I have necessarily had to inform myself about this
8 project because it is the largest potential threat to
9 the quality of life in our community in the history of
10 our community.

11 My involvement has grown because of the lack of
12 responsiveness of the planning agencies -- from SANDAG
13 to Caltrans to the California High-Speed Rail
14 Authority -- in addressing or evaluating our concerns.

15 For example, the Torrey Pines planning board
16 initiated a public records act request of the California
17 High-Speed Rail Authority last year and, after a series
18 of several letters, determined that the High-Speed Rail
19 Authority had no intention of providing any
20 documentation to us. The explanation given to us was
21 that they couldn't afford to comply with the law, and so
22 it was just too bad.

23 Secondly, our community is routinely told that no
24 decision has been made about how this project will
25 affect our community, in particular how it will affect

PH-SD013-I
cont.

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1 the Torrey Pines Reserve, Del Mar, and all of our
2 coastal wetlands in San Diego County.

3 Unfortunately, the more we look, the more we find
4 that those decisions have been made. In fact, in the
5 document released by SANDAG this week, it is already
6 programmed that there will be \$400 million available
7 under the TransNet tax program to dig tunnels through
8 Del Mar and build this freeway-like structure through a
9 state preserve, namely Los Penasquitos, which, under the
10 California Resource Code, is supposed to enjoy the
11 highest level of environmental protection that the state
12 can confer.

13 This project is inconsistent with the city approved
14 community plan for the area. It's inconsistent with
15 state public resource law. It is morally wrong, and
16 it's unnecessary in that it doesn't provide a solution
17 and yet imposes a very high cost.

18 I'd also like to note that the High-Speed Rail
19 Authority is going to encounter a great deal of
20 resistance to its program by people who aren't even
21 particularly interested in the high-speed rail component
22 but are interested in the related effects of the bond
23 program, because the bond program includes approximately
24 a billion dollars which is not for high-speed rail but
25 is for projects like the one that would do this harm to

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1 our remaining coastal wetlands.

2 The Torrey Pines planning board unanimously passed
3 a resolution to oppose this routing. The Torrey Pines
4 Association, which is an association which for more than

5 50 years has -- has had as its sole objective to protect
6 the Torrey Pines Reserve, has also passed a unanimous
7 resolution opposing this.

PH-SD013-1
cont.

8 The city council member for this district,
9 Scott Peter, who is also as member of the coastal
10 commission, has publicly declared is opposition to this.
11 We held a public meeting, which we received very strong
12 vocal support for our position in opposition to this,
13 and yet we get no response from SANDAG. We get no
14 response from Caltrans. When we ask why an alternative
15 routing cannot be studied, we don't get a response.
16 Simply none.

17 And what that does is it puts at risk -- it
18 delegitimizes the entire planning process, and more to
19 the point, it delegitimizes the spokespeople, from the
20 director right on down to the people who put on the dog
21 and pony shows.

22 I would note that the program put on last night in
23 Encinitas at public expense drew only 20 people. The
24 program that I put on in Carmel Valley on March 10th
25 drew, according to press reports, over 125 people at no

PH-SD013-2

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1 public cost. I would say that, while not conclusive,
2 it's indicative of the fact that someone isn't
3 listening.

4 Unfortunately, because of this essentially
5 pro forma nature of this EIR process and of these public
6 hearing processes, the public are not engaged, as
7 evidenced by the fact that no one showed up at the
8 meeting in Encinitas, and I see virtually nobody here
9 tonight in this meeting except representatives of the
10 rail proponents. I think that already speaks volumes.

11 Because of this frustration on the part of our
12 communities, we're left with only one alternative and
13 that is taking away their checkbook until we reform this
14 process. And I think it's important that members of the
15 assembly recognize the political error made in linking
16 coastal heavy rail development funding with a high-speed
17 rail project, which is essentially unrelated, because
18 that generates a great deal of opposition on the basis
19 of what was thought as a convenient add-on.

20 I think it's important that the High-Speed Rail
21 Authority and Caltrans and SANDAG recognize that public
22 opposition to the TransNet tax and to these rail bonds
23 is based not only on whether the programs make sense
24 from a planning perspective or don't make sense from a
25 planning perspective, but the opposition is based on a

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1 deep, deep frustration on the part of our communities
2 that we have no voice in this process and that we are
3 deemed to be expendable; that we're simply an obstacle
4 for a very narrow, limited goal of moving people from
5 Point A to Point B, a planning process that does not
6 properly take into account values that are important to
7 our community.

8 So I would encourage strongly the people involved
9 in this process to understand these issues and to

10 recognize that while they may meet legal requirements
11 through a pro forma process of an EIR document and
12 hearing, the community finds these to be illegitimate,
13 nonresponsive, and on that basis, I think it's only fair
14 for those who are promoting these projects to recognize
15 that and to take account of that for their own best
16 interests.

17 (The proceedings concluded at 7:20 p.m.)

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PH-SD013-2
cont.

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1 STATE OF CALIFORNIA) ss

2
3 I, Valerie J. Legg, CSR 11901, RPR, do hereby declare:

4
5 That the above and foregoing _____ pages
6 contain a full, true, and correct transcript of the
7 proceedings.

8
9
10
11 I further declare that I have no interest in the event
12 of the action.

13
14 I declare under penalty of perjury under the laws of
15 the State of California that the foregoing is true and
16 correct.

17
18 WITNESS my hand this _____ day of
19 _____, 20____.

20
21
22
23 Valerie J. Legg, CSR 11901
24 Registered Professional Reporter
25